

**CITY OF GOODYEAR
CITY COUNCIL ACTION FORM**

SUBJECT: Preliminary Plat of PebbleCreek Phase II Unit 40, subdividing 14.09 acres into 51 standard single-family lots generally located on the northwest corner of PebbleCreek Parkway and Clubhouse Drive (Case PS-04-03).	STAFF PRESENTER: Harvey Krauss COMPANY CONTACT: Mark Maloney, B & R Engineering
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RECOMMENDATION:

City Council approve the Preliminary Plat for PebbleCreek Phase II Unit 40, subdividing 14.09 acres into 51 standard single-family lots generally located on the southwest corner of PebbleCreek Parkway and Clubhouse Drive, subject to the following conditions:

1. The plat shall comply with the Subdivision Ordinance and all other applicable codes and ordinances, or except as otherwise approved;
2. The provision of adequate water and sewer to accommodate the subdivision prior to vertical construction;
3. Approval and installation of the fire hydrant locations and access by the Fire Chief prior to vertical construction;
4. Approval of proposed street names by the City Engineer prior to City Council approval of the final plat;
5. The undergrounding of utilities (with the exception of 69kv lines), including cable television, at no cost to the City, within the subdivision;
6. That the Homeowners Association be responsible for the maintenance of all Tracts and the developer shall include a note on the final plat requiring maintenance of these tracts by the Homeowners Association;
7. That building elevations for any houses to be constructed in Unit 40 be submitted to City staff for information prior to submittal of single-family permit applications (may be submitted concurrently with standard plan submittal);
8. The developer shall make every effort to encourage a variation in building elevations and configurations;
9. The completion of improvements (curb, gutter, sidewalk, street lighting, and landscaping) within and abutting the subdivision as per the Engineering Design Standards, or in accordance with approved exceptions;
10. The public sales report and final plat shall include a statement that "PebbleCreek Phase II Golf Resort is located near Luke Air Force Base and is subject to noise caused by overflights";

11. The developer shall have a separate waiver agreement signed by each homeowner that recognizes that "PebbleCreek Golf Resort Phase II" is subject to noise intrusion caused by overflights from Luke Air Force Base" and such an agreement shall run with the land;
12. Compliance with those conditions stated in Section II of Ordinance Nos. 98-620 and 98-621, ordinances rezoning the land being developed as PebbleCreek Phase II;
13. That all corner lots be developed with single-story houses, and a note requiring this provision be included on the final plat, specifically noting the restriction upon lots 1, 36, 37, and 53;
14. Minimum required building setbacks for Unit 40 shall be as follows: eleven (11) feet in the front yard, five (5) feet on a side yard, eleven (11) feet on a street side yard, and ten (10) feet in the rear yard. All required building setbacks shall be measured from the property line to any structure;
15. The same elevation for dwelling units shall not be placed side by side or directly across the street from one another unless the elevation is fundamentally different as determined by City staff in accordance with Stipulations #7 and #8; and,
16. All improvement plans for Unit 40, including civil and landscape plans, shall be reviewed and approved prior to City Council consideration of the final plat.
17. Developer or successors shall warranty all public improvements constructed within City of Goodyear Rights-of-Way and easements for a period of not less than two (2) years from the date of acceptance by the City.
18. For subdivisions within PebbleCreek Phase II, the public sales report shall include a disclosure statement as a separate exhibit in the buyer contract documents acknowledging that the development is in close proximity to the Arizona Motorsports Park, generally located at Camelback and Reems Roads, and is subject to noise intrusion.

COMMUNITY BENEFIT:

- An increase in the housing stock currently available in the City.
- An increase in residential growth surrounding the Planned Regional Center to support development and growth of commercial development in the area.
- An increase in the housing stock of the City without the impact of additional maintenance of rights-of-way or utility easements.

DISCUSSION:

On August 24, 1998, the City Council approved Ordinances 98-620 and 98-621, conditionally rezoning approximately 1600 acres to be developed as the second phase of the PebbleCreek Golf Resort. Phase II is generally located between Indian School Road and McDowell Road, and from PebbleCreek Parkway to the Estrella Freeway right-of-way (SR 303).

The development of PebbleCreek Phase II commenced with the construction of the new golf course, Tuscany Falls. Subsequently, ten (10) final plats for Phase II have been approved for Units 26, 27, 30, 33, 34, 35, 36, 37, 38 and 39 which are generally located in the central interior of Phase II east of the Sarival Avenue alignment. At present, the surrounding uses adjacent to Unit 40 include the Tuscany Falls golf course being on the north, south, and east sides of the subdivision, Unit 34 on the north side and Sarival Avenue on the west side of the subdivision.

The gross area of the plat is 14.09 acres, which is being subdivided into a total of 51 standard single-family residential lots, with an average lot size of 9,122 square feet and a minimum lot size of 7,280 square feet. A typical lot is 65 or 70 feet by 112 to 117 feet. The overall density of this plat is 3.9 dwelling units per acre.

A total of 1.02 acres of open space is provided in Unit 40, which only includes the open space areas behind the homes and does not include any golf course holes. This amount of open space accounts for approximately 7% of the total land area of Unit 40. While this does not include any of the golf course, the Phase II PAD stipulates that 20% open space overall shall be provided throughout all of Phase II. This percentage accounts for some of the open space pockets to be provided throughout Phase II. A preliminary calculation of the amount of open space within all of Phase II equals approximately 22.8%, which only accounts for the golf course.

In a letter addressed to the Planning Commission during the Preliminary Plat and provided to the City Council during the Preliminary Plat process for Units 31, 32, and 41, the Applicant provided acreage and percentages of the amount of open space within PebbleCreek Phase II. It appears from the numbers provided in the matrix that the project as it is shown in the open space exhibit provided by the applicant is in general conformance with our current guidelines for Open Space requirements as described in the City of Goodyear Parks, Trails, and Open Space plan. The Parks, Trail, & Open Space plan allows 75% of the golf course to be counted towards the overall open space requirement, which equals to 276 acres. Adding the remaining open space with Phase II, the total open space within Phase II is 427 acres. Requiring 20% open space for all of Phase II, 1,612.80 acres, the subdivision is required 322.56 acres of open space, approximately 104 acres less than what is being provided as open space. While City Staff recognizes that useable turf open to the residents of PebbleCreek Phase II is minimal, the development does include an eight (8) acre softball field and a recreational facility that will house a theater. The letter referring to open space has been attached for your reference.

Phase II infrastructure improvements will be similar to Phase I improvements. In terms of housing products, Robson plans to provide residents with the same luxury series that is available in Phase I of PebbleCreek.

Unit 40 Preliminary Plat was also reviewed by Luke Air Force Base. The Base submitted a comment letter (attached) stating: "The site is ½ - ¾ miles outside the 1988 JLUS "high noise or accident potential zone," as identified by A.R.S. 28-8461 and is within the "territory in the vicinity of a military airport" also defined by A.R.S. 28-8461." Luke acknowledged that while the Community is within the "Territory", it will be affected by approximately 170 take offs per day and the resulting noise generated by aircraft. Luke recommended that the

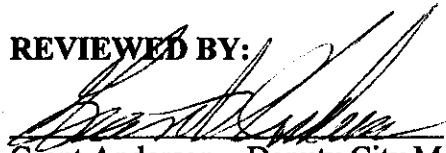
an aggressive notification program to inform the potential residents about Luke AFB operations. The Developer has noted that they are currently meeting the sound attenuation requirements, and also the homebuyers are required to sign a waiver agreement notifying them of noise intrusion.

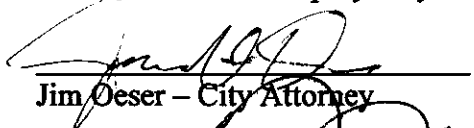
The Planning and Zoning Commission recommended approval of this Preliminary Plat at their regular meeting on November 19, 2003 with a 5 to 1 vote. Commissioner Timko voted against the plat because of a lack of community amenities.

FISCAL IMPACT:

The economic impact analysis of Unit 40 indicated that this development would produce estimated operating revenues in the amount of \$260,402 (net present value) with construction sales tax at 25% over a ten-year period. Please refer to the attached Economic Impact Analysis Executive Summary.

REVIEWED BY:

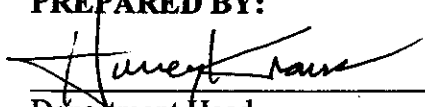

Grant Anderson – Deputy City Manager


Jim Oeser – City Attorney


Larry Price – Finance Director


Stephen Cleveland – City Manager

PREPARED BY:


Department Head



ROBSON COMMUNITIES™

Master-Planned Resort Living For Active Adults

April 9, 2003

Mr. David Horsman, Chairman
City of Goodyear
Planning & Zoning Commission
P.O. Box 5100
Goodyear, AZ 85338

RE: ***PebbleCreek Planning and Zoning Commission
March 17, 2003***

Dear Mr. Chairman:

The following is in response to comments regarding preliminary plat approval for PebbleCreek Units 31, 32, and 41. In bold print is the topic of discussion with my response immediately following. Hopefully the explanations and exhibits can clarify some of the issues and I'm available at your convenience to discuss anything relating to PebbleCreek.

Luke Air Force Base

Please consider our agreeing to the continuance for the three preliminary plats as an act of good faith effort in addressing the noise contour issue. We all know there are no legal grounds to deny, or even continue, the approval of the preliminary plats, yet rather than making things worse we agreed to the continuance. However for future reference, I would suggest you choose a less adversarial strategy.

We are very aware of the importance of Luke as many of our residents are affiliated with the base and we support the efforts to protect its operation. To give you an example of our support, in September 2000 I approached the City about moving non-residential uses into the noise contour area and relocating 59 residential lots out of the noise contour. Even with the support and assistance of the Planning Department it took until January 2002 to obtain approval. Throughout the relocation process to today, inferences are made that we caused the problem and should shoulder the burden. Both the original PebbleCreek PAD (1991) and the PebbleCreek Phase II PAD (1998) were prepared only after we contacted Luke Air Force Base representatives. The original PebbleCreek PAD provided for three phases and was consistent with the 1988 WJLUS noise contour. The 1998 PAD boundary was adopted after discussions with both the City and Luke Air Force Base representatives. Luke had issued the 1995 AICUZ noise contours and they requested we follow the guidelines.

Why are we bothering to review the preliminary plats if all of the standards and specifications are already established?

I couldn't agree with you more, but for different reasons. The major objective of the review is to ensure platted subdivisions are in substantial conformance of our PAD requirements. Because our PAD conditions are quite detailed, not subject to change, and repetitive with each sub-division the

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SUN LAKES • PEBBLECREEK • SADDLEBROOKE • QUAIL CREEK • ROBSON RANCH



EQUAL HOUSING

Exhibit D

Summary

We are 197 acres over the open space requirement of our PAD and 239 acres over the latest Design Guideline requirements. We have 151 acres of non-golf course open space of which 101 acres are located within the subdivisions. Additionally we have approximately 31 miles of interior sidewalk, 1.4 miles of multi-use path, and 2.4 miles of off-pavement golf cart path along the collector streets.

Staff can easily verify the above information if you have any questions. In the hearing it was asked of staff why existing golf course holes are being platted with the subdivisions. It has nothing to do with trying to fool anyone about open space. The major reason for waiting to plat existing golf holes is that when surrounding subdivisions are designed we often have to adjust or modify boundaries to accommodate subdivision improvements and we avoid having to amend or re-plat areas, which eliminates a lot of confusion later on.

Can we somehow disclose to buyers that the ballfield area is subject to flooding and a dog park will be located there?

We would object to a disclosure or notice of possible flooding. Our concern is that this would give the impression the homes are subject to flooding. The ballfield was designed to retain water and designed with emergency overflows per City regulations. The water would crest over the banks and flow south before it ever got to the lots surrounding the ballfield. It just places an undue hardship on the sales of homes that are safe from flooding.

The suggestion for some type of disclosure about a potential dog park was not a bad idea. If the thought was to have a note placed on the plat there are a few problems. First I don't feel a plat is the appropriate place, but more importantly the dog park is not a done deal and if it comes to fruition the timing is unknown. I would recommend the notice be placed in the disclosure statement the homebuyer is required to sign (Exhibit "C").

I hope the enclosed information is of some assistance in clarifying the issues. Please contact me anytime at 480-895-4288 or have staff contact me if you have questions.

Sincerely,



John R. Burke
Vice President, Land Development

cc: Tony Widowski
Harvey Krauss

Enclosures

JB/gls



DEPARTMENT OF THE AIR FORCE
AIR EDUCATION AND TRAINING COMMAND

AUG 07 2003

Mr. James R. Mitchell
Director, Community Initiatives Team
56th Fighter Wing
14185 W. Falcon Street
Luke AFB AZ 85309-1629

Ms. Janeen Hollomon
City of Goodyear
P.O. Box 5100
Goodyear AZ 85338

Re: Case #PS-04-03 Pebblecreek Unit Forty

Dear Ms. Hollomon

Thank you for the opportunity to comment on the Preliminary Plat Application for Pebblecreek Unit 40. This development is located within the larger Pebblecreek development south of Indian School Road, north of McDowell Road, west of Bullard Avenue and east of Cotton Lane. Unit 40 is a sub-development of 14.09 gross acres located adjacent to and east of Sarival Avenue and ¼ mile south of Indian School Road. It's surrounded on two sides by golf course fairways and will encompass 51 residential dwelling units (du), resulting in a density of 3.9 du/acre.

The site is located from ½ to ¾ mile outside the 1988 JLUS 65 Ldn, "high noise or accident potential zone," as identified by A.R.S. § 28-8461 and is within the "territory in the vicinity of a military airport," also defined by A.R.S. § 28-8461. The Graduated Density Concept proposes, in the absence of a more restrictive state, county or municipal general or comprehensive plan, graduating densities away from the 65 Ldn as follows: a maximum of 2 du/acre from the 65 Ldn to ½ mile, a maximum of 4 du/acre from ½ mile to 1 mile and a maximum of 6 du/acre from 1 to 3 miles. The above gross density falls within these guidelines

Since the Pebblecreek Unit 40 development is located within the "territory in the vicinity of a military airport," it will be subjected to approximately 170 take offs per day and the resulting noise generated by the aircraft. We recommend that you review the sound attenuation requirements found in A.R.S. § 28-8482. I encourage an aggressive notification program on the part of the applicant and/or developer to inform potential residents about Luke AFB operations. A sample notification letter can be found on the Luke AFB web site at www.luke.af.mil/urbandevelopment. We strongly encourage use of this sample notification letter.

If you have any questions please contact my Community Planner, Mr. Bob Dubsy, at (623) 856-3634.

Sincerely

A handwritten signature in black ink, appearing to read 'James R. Mitchell', written in a cursive style.

JAMES R. MITCHELL

cc:

Colonel Peter A. Costello III, Vice Commander, 56th Fighter Wing

OVERALL FISCAL IMPACT SUMMARY: Public Creek Unit 40

CITY OF GOODYEAR

2002 Dollars

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	NPV *
General Fund & Streets-Direct											
Revenues	\$55,749	\$72,264	\$65,008	\$42,115	\$42,115	\$42,115	\$42,115	\$42,115	\$42,115	\$42,115	\$368,886
Expenditures and Transfers Out	\$41,166	\$42,719	\$25,884	\$4,024	\$4,024	\$4,024	\$4,024	\$4,024	\$4,024	\$4,024	\$117,447
Net Impact Before Incentives and Credits	\$14,583	\$29,545	\$39,124	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$251,439
Developer Improvement Credits-Direct											
City Contributions-Direct	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Direct Net GF Impact with Incentives and Credits	\$14,583	\$29,545	\$39,124	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$251,439
Special Funds-Direct											
Revenues	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures and Transfers Out	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Net Impact	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Impact Fee Funds-Direct											
Revenues	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures and Transfers Out	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Net Impact	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Direct Net Impact - GF & Impact Fees Only	\$14,583	\$29,545	\$39,124	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$251,439
Direct Net Impact-All Funds	\$14,583	\$29,545	\$39,124	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$251,439
General Fund & Streets-Total											
Revenues	\$61,812	\$81,582	\$73,375	\$48,158	\$48,158	\$48,158	\$48,524	\$48,524	\$48,524	\$48,524	\$419,143
Expenditures and Transfers Out	\$44,071	\$48,048	\$32,251	\$10,086	\$10,086	\$10,086	\$10,106	\$10,106	\$10,106	\$10,106	\$158,740
Net Impact Before Incentives and Credits	\$17,741	\$33,534	\$41,124	\$38,072	\$38,072	\$38,072	\$38,418	\$38,418	\$38,418	\$38,418	\$260,402
Developer Improvement Credits-Direct											
City Contributions-Direct	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Net GF Impact with Incentives and Credits	\$17,741	\$33,534	\$41,124	\$38,072	\$38,072	\$38,072	\$38,418	\$38,418	\$38,418	\$38,418	\$260,402
Special Funds-Total											
Revenues	\$1,486	\$2,652	\$3,099	\$2,885	\$2,885	\$2,885	\$2,899	\$2,885	\$2,885	\$2,885	\$19,897
Expenditures and Transfers Out	\$1,459	\$2,566	\$3,017	\$2,824	\$2,824	\$2,824	\$2,838	\$2,824	\$2,824	\$2,824	\$19,440
Net Impact	\$27	\$86	\$82	\$61	\$61	\$61	\$61	\$61	\$61	\$61	\$458
Total Net Impact-All Funds**	\$17,769	\$33,619	\$41,206	\$38,133	\$38,133	\$38,133	\$38,479	\$38,479	\$38,479	\$38,479	\$260,860
Total Revenues Generated	\$1.39	\$1.66	\$2.17	\$3.95	\$3.95	\$3.95	\$3.97	\$3.98	\$3.98	\$3.98	\$3.98
Per Dollar of O&M Expenditures											
Total Revenues Generated	\$1.40	\$1.70	\$2.28	\$4.77	\$4.77	\$4.77	\$4.80	\$4.80	\$4.80	\$4.80	\$4.80
Per Dollar of General Fund Expenditures											
Excluding Construction Sales Tax											

* Net Present Value of ten-year impact discounted at 6 percent annually.

**Total includes direct impact fee funds, developer improvement credits and city contributions.

OVERALL FISCAL IMPACT SUMMARY: PebbleCreek Unit 40
CITY OF GOODYEAR
2002 Dollars

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9	Year 10	NPV *
General Fund & Streets-Direct											
Revenues	\$84,334	\$100,849	\$80,730	\$42,115	\$42,115	\$42,115	\$42,115	\$42,115	\$42,115	\$42,115	\$434,494
Expenditures and Transfers Out	\$41,166	\$42,719	\$25,884	\$4,024	\$4,024	\$4,024	\$4,024	\$4,024	\$4,024	\$4,024	\$117,447
Net Impact Before Incentives and Credits	\$43,168	\$58,130	\$54,846	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$317,046
Developer Improvement Credits-Direct											
City Contributions-Direct	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Direct Net GF Impact with Incentives and Credits	\$43,168	\$58,130	\$54,846	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$317,046
Special Funds-Direct											
Revenues	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures and Transfers Out	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Net Impact	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Impact Fee Funds-Direct											
Revenues	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Expenditures and Transfers Out	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Net Impact	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Direct Net Impact - GF & Impact Fees Only	\$43,168	\$58,130	\$54,846	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$317,046
Direct Net Impact-All Funds	\$43,168	\$58,130	\$54,846	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$38,091	\$317,046
General Fund & Streets-Total											
Revenues	\$90,402	\$110,176	\$89,107	\$48,169	\$48,169	\$48,169	\$48,535	\$48,535	\$48,535	\$48,535	\$484,822
Expenditures and Transfers Out	\$44,071	\$48,048	\$32,251	\$10,086	\$10,086	\$10,086	\$10,106	\$10,106	\$10,106	\$10,106	\$158,740
Net Impact Before Incentives and Credits	\$46,331	\$62,127	\$56,856	\$38,083	\$38,083	\$38,083	\$38,429	\$38,429	\$38,429	\$38,429	\$326,082
Developer Improvement Credits-Direct											
City Contributions-Direct	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Net GF Impact with Incentives and Credits	\$46,331	\$62,127	\$56,856	\$38,083	\$38,083	\$38,083	\$38,429	\$38,429	\$38,429	\$38,429	\$326,082
Special Funds-Total											
Revenues	\$1,486	\$2,652	\$3,099	\$2,885	\$2,885	\$2,885	\$2,899	\$2,885	\$2,885	\$2,885	\$19,897
Expenditures and Transfers Out	\$1,459	\$2,566	\$3,017	\$2,824	\$2,824	\$2,824	\$2,838	\$2,824	\$2,824	\$2,824	\$19,440
Net Impact	\$27	\$86	\$82	\$61	\$61	\$61	\$61	\$61	\$61	\$61	\$458
Total Net Impact- Excluding Impact Fees**	\$46,358	\$62,213	\$56,938	\$38,144	\$38,144	\$38,144	\$38,490	\$38,490	\$38,490	\$38,490	\$326,539
Total Net Impact-All Funds***	\$46,358	\$62,213	\$56,938	\$38,144	\$38,144	\$38,144	\$38,490	\$38,490	\$38,490	\$38,490	\$326,539
Total Revenues Generated	\$2.02	\$2.23	\$2.61	\$3.95	\$3.95	\$3.95	\$3.97	\$3.98	\$3.98	\$3.98	\$3.98
Per Dollar of O&M Expenditures											
Total Revenues Generated	\$2.05	\$2.29	\$2.76	\$4.78	\$4.78	\$4.78	\$4.80	\$4.80	\$4.80	\$4.80	\$4.80
Per Dollar of General Fund Expenditures											

* Net Present Value of ten-year impact discounted at 6 percent annually.

**Total includes general fund, special funds, developer improvement credits and city contributions.

***Total includes general fund, special funds, developer improvement credits and city contributions.

